

# Exhibit A



1 Injunction. This declaration is based on my personal knowledge and experience. I could and would  
2 competently testify to its contents if called to do so.

3 **Effect of Contractor Mandate on Louisiana's ICAC Task Force**

4 7. The Contractor Mandate has a direct and immediate impact on the ICAC Task Force,  
5 law enforcement training programs, and investigation and enforcement of complaints received  
6 pursuant to the federal Fair Housing Act.

7 8. Louisiana has entered into a cooperative agreement with the United States Department  
8 of Justice. Under this agreement, DOJ provides funds and support to the ICAC Task Force.

9 9. The ICAC Task Force receives approximately \$1.4 million annually from the federal  
10 government.

11 10. The ICAC Task Force relies on those federal funds to fulfill its mission to protect  
12 Louisiana's children. Those funds allow the ICAC Task Force to hire highly specialized law  
13 enforcement and related personnel it needs to prevent, investigate, and prosecute child-exploitation  
14 crimes.

15 11. Like the State as a whole and the Louisiana DOJ, the ICAC Task Force does not  
16 currently have a COVID-19 vaccine mandate in place for its employees, nor was it planning to  
17 implement a COVID-19 vaccine mandate.

18 12. Based on communications that State entities have received from the federal  
19 government, I reasonably believe the federal Contractor Vaccine Mandate will apply to the ICAC Task  
20 Force and by extension to other personnel across the entire Louisiana Department of Justice.

21 13. If the Contractor Mandate takes effect, the ICAC Task Force will be forced to choose  
22 between implementing a vaccine mandate or forgoing its federal funding. Both options threaten the  
23 ICAC Task Force's ability to continue to exist and to perform its critical public-safety functions.

24 14. If the ICAC Task Force complies with the mandate, I expect some of the Task Force's  
25 employees to resign or quit instead of comply with the mandate. Though the exact number of persons  
26 who would leave the Task Force won't be known unless the mandate is implemented, news articles  
27 about the effect of vaccine mandates on other law-enforcement organizations describe the possibility  
28 of "los[ing] 5, 10%" of a law enforcement agency's workforce "overnight" in response to a vaccine

1 mandate in Los Angeles County. Bobby Caina Calvan and John Seewer, *Cities, police unions clash as vaccine*  
 2 *mandates take effect*, AP News (Oct. 15, 2021), <https://bit.ly/305cQFV>. And in Seattle, the police  
 3 department “sent detectives and non-patrol officers to emergency calls ... because of a shortage of  
 4 patrol officers that union leaders fear will become worse because of vaccine mandates.” *Id.* I have no  
 5 reason to think the Contractor Vaccine Mandate’s effect on the ICAC Task Force would be any  
 6 different.

7 15. Alternatively, if the ICAC Task Force does not comply with the mandate, it would lose  
 8 its federal funds, harming our ability to continue paying all of our Task Force members and creating a  
 9 budget deficit for the Department of Justice. The ICAC Task Force cannot effectively perform its  
 10 critical public-safety functions without a full complement of employees. Moreover, the guidance  
 11 suggests the mandate would extend to other state employees in the same building having even greater  
 12 harmful impact on the Department’s law enforcement functions.

#### 13 **Effect of Contractor Mandate on Louisiana’s Medicaid Fraud Unit**

14 16. Louisiana DOJ’s Medicaid Fraud Unit has cooperative agreements with the federal  
 15 government.

16 17. The Medicaid Fraud Unit receives approximately \$10.4 million annually from the  
 17 federal government. The unit is 75% funded by the Federal government, with the State supplying the  
 18 remaining 25%.

19 18. In FY 2019-20, the Medicaid Fraud Unit opened 425 cases and recovered over \$19  
 20 million from fraud perpetrators. The unit recovered \$2.34 for every dollar spent on it.

21 19. The unit also arrested or formally charged 77 individuals in FY 2019-20. As of June 30,  
 22 2019, 100 defendants were awaiting prosecutions. With a substantial existing docket, the unit is not in  
 23 a position to be able to cut its staff without serious negative effects on its mission.

24 20. The Medicaid Fraud Unit is not currently subject to a vaccine mandate.

25 21. Under the Contractor Mandate, the Medicaid Fraud Unit must choose between  
 26 forgoing its federal funding or implementing a vaccine mandate.

27 22. Based on communications received from the federal government by State entities, I  
 28 reasonably believe the Mandate will apply to this program.

23. The loss of federal funding would existentially threaten the Medicaid Fraud Unit's ability to function, as 75% of its funding comes from the Federal government. This would both hamper Louisiana and the Federal Government's ability to recover fraudulently claimed Medicaid dollars, and potentially encourage more perpetrators to commit fraud due to lack of enforcement. Moreover, having a Medicaid fraud unit separate from the State Agency that administers the program is a condition of participation in the program so the loss of this unit threatens to render the State non-compliance with conditions of participation.

#### **Effects of Contractor Mandate on Louisiana DOJ's Civil Division**

24. Louisiana DOJ's Civil Division has cooperative agreements with the federal government.

25. The Civil Division receives approximately \$600,000 annually from the federal government.

26. Like the State as a whole and as part of the Louisiana DOJ, the Civil Division is not currently subject to a vaccine mandate.

27. Under the Contractor Mandate, the Civil Division must choose between forgoing its federal funding or submitting to the vaccine mandate.

28. Based on communications received from the federal government by State entities, I reasonably believe the Mandate will apply to this program and may extend to others who are employed in the same building as the Civil Division staff.

#### **Effects of Contractor Mandate on Louisiana DOJ's Cyber Crime Unit**

29. The Cyber Crime Unit focuses on preventing and prosecuting Internet Crimes Against Children—in particular, internet activity directed at sexually enticing or molesting children and the production, distribution, and possession of child pornography.

30. In FY 2019-20, the Cyber Crime Unit opened 1,829 Internet Crimes Against Children cases, and made 131 arrests (many with multiple charges).

31. The Cyber Crime Unit has so far received 6,731 tips and counting this year, and has made 116 arrests.

32. The Cyber Crime Unit's investigations also aid federal prosecutions of cyber criminals.

1           33.     The Cyber Crime Unit receives federal funds under the Protect Our Children Act.

2           34.     The Cyber Crime Unit in FY 2019-20 employed six full-time special agents with one  
3 supervisory special agent. Its computer forensics laboratory is staffed by nine highly specialized  
4 Computer Forensics Examiners, and one Lab Supervisor. With such small teams, the loss of even one  
5 specialist will result in significant harm to the team's effectiveness and the State.

6           35.     Like the State as a whole and the Louisiana DOJ of which it is a part, the Cyber Crime  
7 Unit is not currently subject to a vaccine mandate.

8           36.     Under the Contractor Mandate, the Cyber Crime Unit must choose between forgoing  
9 its federal funding or submitting to the vaccine mandate.

10          37.     Loss of staff will hamper the Cyber Crime Unit's ability to prevent internet crimes,  
11 especially crimes against children, in Louisiana and will likely result in sex predators harming more  
12 children and distributing more child pornography than would have occurred in the absence of the  
13 Mandate.

14                   **Effects of Contractor Mandate on Louisiana DOJ's Miscellaneous Programs**

15          38.     The Contractor Mandate will also threaten the Louisiana Commission on Law  
16 Enforcement for Domestic Violence training programs, crime victim advocacy programs, online  
17 victim recovery programs, and firearm divestiture programs, which all receive federal funding. The  
18 employees of the Louisiana DOJ who implement these programs are not currently subject to a vaccine  
19 mandate.

20          39.     These programs educate the public about the realities of human trafficking and sexual  
21 violence and improve reporting of those crimes. A loss of staff or funding will hamper the ability of  
22 the Louisiana DOJ to carry out the functions of these programs, educate Louisianans, and ensure that  
23 these crimes are investigated and prosecuted.

24          40.     The Louisiana DOJ's Law Enforcement Response to Violence training program trained  
25 425 law enforcement officers in FY 2019-20. These officers were trained in responding to domestic  
26 violence, sexual violence, and human trafficking situations. The continuation of this training program  
27 depends on outside funding, including federal funding. Loss of these funds would significantly hinder  
28 if not end the Department's ability to continue carrying out this training.

**Effects of Contractor Mandate on Louisiana DOJ Overall**

41. Implementing and enforcing the continually changing requirements of the Contractor Vaccine Mandate would place a significant administrative burden on Louisiana DOJ, reducing the agency's ability to fulfill its duties.

42. The Mandate could lead to increased employee turnover resulting in financial and administrative burdens and potential payment of unemployment claims. Turnover and the need to train new employees will also make the Louisiana DOJ's operations less efficient. Many of the functions of the Department require specialized experience or training therefore it is often difficult to identify qualified replacement employees.

43. The Mandate will harm the agency's ability to recruit new employees.

44. The agency will incur significant costs related to the termination or retirement of employees who chose not to be vaccinated. Firing an employee costs the agency on average \$6,640 to pay out unused annual leave. Retirement of an employee also imposes new costs on the agency, including health care costs associated with retirement. This does not count the burden of the increased workload on Human Resource staff to process many terminations in a short time if they occur.

45. If employees leave, the agency will also incur significant costs related to hiring new employees. Government positions must be filled through a regulated process, and both staff time and money must be invested to ensure that quality employees are chosen. Also, many of the positions in the units described above are specialist positions requiring technical skills and experience, such that qualified replacement employees may be difficult to find.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA AND THE STATE OF LOUISIANA THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in Baton Rouge, Louisiana, this 11<sup>th</sup> day of November, 2021.

Elise W. Cazes